

## NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

## MEMO

TO Peter Lynch, Chief, Metro Region, Enforcement Element

FROM Stefan Sedlak through Robert Plumb<sup>47</sup> DATE January 17, 1984

SUBJECT On-site Grit Disposal at Rutherford, East Rutherford, Carlstadt  
Joint Meeting (RERC-JM)

On January 4, 1984 this office was notified by Mr. Hank McCafferty, Health Officer, for the Borough of Rutherford that RERC-JM was improperly disposing of their grit on-site. The disposal of the grit was witnessed by Mr. Victor Tamaro, Building inspector for the Borough of Rutherford. On January 4, 1984 at 11:37 am Mr. Tamaro observed a truck backing in at the site and dumping the load. The material was wet and a portion of it had entered the adjacent stream, a tributary of Berry's Creek which was thereby discolored. The truck is owned by Fred Heyrich Company (NJSWA 7525A 16 CY). The police Department had detained the driver of the vehicle. Mr. Tamaro had notified the Bergen County Prosecutor of the incident.

On January 5, 1984 the writer visited the site. Mr. Daniel Bigler, plant operator and Mr. Brian O'Keefe a health official for the Borough of Rutherford were present during the inspection. The attached diagram approximately locates the area where the grit was disposed. Lime and chlorine had been added to the grit and the area nearest the stream was sand bagged to prevent any additional material from entering the stream. The source of the grit was from flocculation chamber number two (2) which was observed to be almost empty. Mr. Bigler had estimated that approximately ten (10) cubic yards were disposed of on-site. According to Mr. Bigler there was very little grit in chamber number one (1). There was therefore no urgent need to remove grit at that time.

The Gulick Disposal Company was previously used to remove grit from RERC-JM for incineration at the Parsippany-Troy Hills Sewage Treatment Plant. Gulick would no longer accept the material because it would build up in his vehicles. In the absence of an alternative method of disposal Mr. Bigler planned on storing the grit on-site until he could obtain approval from the Hackensack Meadowlands Development Commission (HMDC) to landfill the grit. The on-site disposal by Heyrich was not supervised and the grit was not disposed of at the location that Mr. Bigler had intended it to be.

Mr. Bigler was directed to remove the material and to place it in a leak proof container for disposal at an authorized landfill. He was also advised to, in the future, place the grit directly into a dumpster from the flocculation chambers.

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On January 6, 1984 at 10:30 am the writer and Kevin Aiello sampled the grit for the following parameters: COD, pH, volatile organic scan, limited heavy metals and EP toxicity (sample number 20154). The grit had been covered with plastic since January 5, 1984.

RERC-JM is in the process of arranging for landfill disposal at the HMDC landfill. RERC-JM has sampled the grit for EP toxicity, however, the results are not available.

Mr. Tom Goldrick (201-646-3335), Bergen County Prosecutor, has been assigned to the case. Mr. Goldrick presently intends to handle this as a criminal case should the grit be determined to be toxic.

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Attachment

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